

Message Text

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INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-03 H-02 INR-07 L-03

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R 171658Z JUL 75

FM AMEMBASSY BONN

TO SECSTATE WASHDC 1502

INFO USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

USMISSION NATO BRUSSELS

AMEMBASSY BERLIN

C O N F I D E N T I A L SECTION 01 OF 02 BONN 11647

E.O. 11652: GDS

TAGS: PFOR, WB, US, UK, UR, FR, GW, PGOV

SUBJECT: SENAT MANDATE ON TELTOW CANAL

REFS: (A) STATE 161376 (NOTAL); (B) BONN 10979;

(C) USBERLIN 916

SUMMARY: AT TRIPARTITE MEETING JULY 15, ALLIED REPS
AGREED TO USE BK/L FORM FOR SENAT MANDATE ON TELTOW;
HOWEVER, FRENCH REP MAINTAINED REFERENCE TO QA IN
MANDATE WAS INAPPROPRIATE, SETTING FORTH THE QUAI'S
REASONING. UK REP WILL NOW SEEK LONDON'S VIEWS ON
DELETING QA REFERENCE. END SUMMARY.

1. AT JULY 15 TRIPARTITE MEETING OF BONN GROUP REPRE-
SENTATIVES, FRENCH REP (BOISSIEU) AGREED TO DROP NOTION
OF ISSUING BKC/L IN CONNECTION WITH THE TELTOW MANDATE.
ALLIED REPS THUS AGREED THAT SIMPLE BK/L WOULD BE
SUFFICIENT, THOUGH BOTH BRITISH AND FRENCH THOUGHT THE
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BK/L MIGHT AT SOME SUITABLE TIME BE PUBLISHED.

2. BOISSIEU THEN REITERATED FRENCH OPPOSITION TO ANY REFERENCE TO THE QA IN THE TELTOW MANDATE. BRITISH REP (CROMARTIE) SAID FCO SAW CONSIDERABLE MERIT IN SUCH A REFERENCE, AND ASKED BOISSIEU FOR THE QUAI'S REASONING. READING FROM A LENGTHY INSTRUCTION FROM PARIS, BOISSIEU RESPONDED WITH TWO REASONS. FIRST, A QA REFERENCE IN THE TELTOW MANDATE WOULD IMPLY QUADRI-PARTITE ACCEPTANCE OF TELTOW'S INCLUSION IN ANNEX III OF THE QA -- A POINT THAT WAS EXPLICITLY REJECTED BY THE SOVIETS IN 1971. ACCORDING TO THE FRENCH MINUTES OF THE QUADRI-PARTITE AMBASSADORS' MEETING OF AUGUST 17, 1971, AMBASSADOR RUSH ATTEMPTED TO OBTAIN SOVIET AGREEMENT ON TELTOW'S INCLUSION, BUT ABRASIMOV WOULD NOT BUDGE, STATING THAT THE CANAL HAD BEEN CONTROLLED BY THE GDR UNTIL 1952 WHEN ITS WSB PORTIONS WERE ILLEGALLY SEIZED BY THE ALLIES. AMBASSADOR RUSH RELUCTANTLY AGREED TO DROP THE PARAGRAPH CONTAINING AN EXPLICIT REFERENCE TO THE CANAL.

3. THE SECOND FRENCH REASON WAS THAT THE SENAT MANDATE WAS TO BE LIMITED TO TECHNICAL MATTERS. THE FRG HAS SAID THAT IT INTENDS TO NEGOTIATE THE TRANSIT REGIME FOR THE CANAL, AND THEREFORE THE SENAT'S ROLE IN THE CANAL NEGOTIATIONS DOES NOT COME UNDER THE UMBRELLA OF COMMUNICATIONS. A REFERENCE TO THE QA COULD GIVE THE IMPRESSION THAT IT DOES, OR THAT THE ALLIES ACCEPT THE COMPETENCE OF THE SENAT TO NEGOTIATE ON TRANSIT QUESTIONS.

4. WITH REFERENCE TO THE FIRST REASON CITED BY BOISSIEU, US REP READ FROM PAGE 55 OF THE TRIPARTITELY AGREED INTERPRETATION OF THE BACKGROUND OF THE QA NEGOTIATIONS (REFTEL A, PARA 3), STATING THAT THE LANGUAGE THEREIN ("SUCH AS TELTOW") INDICATED

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THAT THE ALLIED NEGOTIATORS WERE AGREED AT THE TIME THAT THE TELTOW CANAL WAS INTENDED TO BE INCLUDED UNDER ANNEX III SUBJECT MATTER. THE BRITISH REP ENDORSED THIS INTERPRETATION, BUT SUGGESTED THAT PERHAPS A REFERENCE TO BKC/L (71) 1 COULD BE SUBSTITUTED FOR A REFERENCE TO THE QA.

5. BOISSIEU REPLIED BY MAKING TWO POINTS: FIRST, PAGE 55 OF THE TRIPARTITE INTERPRETATION IS AN INTERPRETATION OF A BKC/L NOT OF THE QA; AND SECOND, A REFERENCE TO BKC/L (71) 1 IN THE TELTOW MANDATE WOULD BE IRRELEVANT SINCE IT EXPIRED WHEN THE FQP CAME INTO EFFECT. IN SUM, IT IS NOT WISE TO ASSERT QA COVERAGE WHEN IT WILL BE DISPUTED.

6. ON SECOND FRENCH REASONS, , UK REP NOTED THAT THE MANDATE WOULD EXPLICITLY EXCLUDE TRANSIT QUESTIONS. IN CONFIDENTIAL

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ADDITION, HE THOUGHT IT COULD BE SAID THAT UNDER PARA 5 OF ANNEX III OF THE QA THE SENAT IS THE COMPETENT GERMAN AUTHORITY FOR NEGOTIATING THE NON-TRANSIT ASPECTS OF THE CANAL. HE WOULD HAVE THOUGHT THE FRENCH WOULD HAVE AGREED ON IMPORTANCE OF HAVING QUADRIpartite COVER FOR THE NEGOTIATIONS. BOISSIEU NOTED THAT BK/L (73) 46, WHICH WOULD STILL BE CITED IN THE DRAFT MANDATE EVEN THOUGH THE REFERENCE TO THE QA WERE DELETED, DOES ITSELF REFER TO THE QA.

7. US REP CONCLUDED BY SAYING THAT, ALTHOUGH THE

USG PREFERRED A REFERENCE TO THE QA IN THE TELTOW
MANDATE, IT WAS MORE IMPORTANT TO MOVE AHEAD WITH THE
MANDATE SINCE THE GERMANS HAD BEEN WAITING FOR SOME
TIME. CROMARTIE SAID HE WOULD REPORT BOISSIEU'S
ARGUMENTS TO LONDON TO SEE IF THEY MIGHT PERSUADE THE
FCO TO BECOME MORE FLEXIBLE ON A REFERENCE TO THE QA,
THEREBY ALLOWING THE ALLIES TO PROCEED.
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